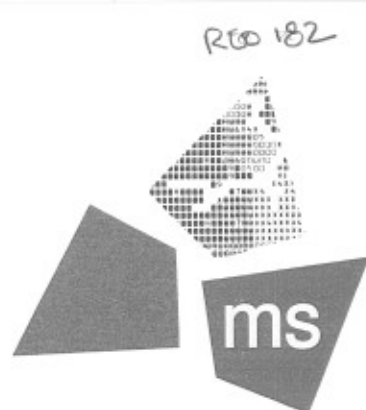


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November 22, 2004

Ms. Sherri Coghill
NC Department of Environment and Natural Resources
Division of Waste Management
Solid Waste Permitting Branch
401 Oberlin Road
Raleigh, NC 27605



**Re: Riegel Ridge Landfill – Columbus County, North Carolina
Revised Site Study Submittal (Revision 03)**

Dear Ms. Coghill:

Riegel Ridge, LLC ("Riegel Ridge"), a subsidiary of Waste Management of Carolinas, Inc., is pleased to submit herewith three copies of the revised Site Study Document, Volumes 1 and 2, along with three copies of Addendum No. 3 of the Site Hydrogeological Report, and Addendum No. 4, "Report of Supplemental Geotechnical Considerations". While much of this technical support data has been previously submitted to your agency, the revisions add detail and clarity to prior submitted documents.

Riegel Ridge has continued its relationship with ms consultants, inc. (formerly Marlowe Dreitzler and Associates). Since the last Site Study was submitted to your agency in October 2003, Riegel Ridge has added GeoSyntec Consultants of Atlanta to the technical team. GeoSyntec has primarily reviewed prior technical documents for the purpose of value engineering and peer review. Addendum No. 3 to the Site Hydrogeological Report, and a Report of Supplemental Geotechnical Considerations as listed above have now been added to the Site Study. These last two documents contain four important changes from previous submittals:

- The earthen berm height has been lowered to an average height of 20-feet.
- The phasing plan has been revised.
- Base grades have been revised.
- The adjacent C&D landfill proposal has been dropped.

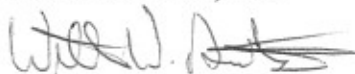
On October 10, 2003, I submitted Volumes I and II of the Riegel Ridge Landfill Site Study and described several supporting investigations that have been prepared as part of the regulatory review process. Several other events have occurred since that submission and are described in Attachment 1 to this letter the "Chronology of Permitting Issues".

Back on August 5, 2002, Ms. Coghill of your office provided a letter to me outlining nine specific items that had to be addressed to continue processing the site study application. These questions and our responses are contained in Attachment 2.

We look forward to meeting with you and discussing your concerns. If you have any questions, please contact Ken Daly of GeoSyntec (678-202-9500), or me (919-774-7303).

In addition, please note my address and phone number change for any future correspondence. Thank you for your continued assistance.

Sincerely,
ms consultants, inc.



William W. Dreitzler, P.E.
Technical Manager

Attachments: 1. Chronology of Permitting Issues
2. Response to DENR-DWQ questions of August 5, 2002

Cc: Mr. Jim Coffey, Section Chief, Solid Waste Section, Division of Waste Management
Mr. Jim Barber, Branch Head, SW Permitting Branch, Division of Waste Management
Ms. Angie Pennock, Corps of Engineers
Mr. Billy Joe Farmer, Columbus County Manager
Mr. Mike Loyd, Waste Management
Mr. Jim Dowland, Waste Management
Mr. Ken Daly, GeoSyntec Consultants



Attachment 1

CHRONOLOGY OF PERMITTING ISSUES (Post October 2003 Site Study Revised Submittal)

RIEGEL RIDGE LANDFILL PROJECT

- Riegel Ridge granted a Conservation Easement to the Waccamaw Siouan Tribe, Inc. on September 23, 2004. This was required by the Corps of Engineers as part of its 404 permit. That permit is under review by Ms. Angie Pennock and we believe that we have met all of the COE's requirements and anticipate issuance of the 404 permit in the near future.
- On August 26, 2004, Administrative Law Judge James L. Connor, II upheld the 401 Water Quality Certification. The NC Environmental Management Commission is due to review the decision at its regular December meeting. If you have questions about this issue, I suggest that you contact Assistant Attorney General John Payne. Mr. Payne represented the Division of Water Quality during this case.
- Mr. Phillip S. Letsinger of the NC Floodplain Management Branch sent an April 22, 2004 letter to Columbus County describing that his agency has determined that the proposed landfill does not lie within the 100-year floodplain boundary. The NC Floodplain Management Branch is responsible for administering NCGS 143-215.51 – Floodway Regulation. Columbus County agrees with the findings of the NC Floodplain Management Branch that the Riegel Ridge Landfill Unit Boundary lies outside of the 100-year floodplain and therefore is in compliance with the requirements of NCGS 143-215.51. This finding means that Columbus County will not act on the pending variance request since a variance is no longer required.
- On February 17, 2004, Waste Management sent a "Demonstration of Financial Qualification" to Mr. James C. Coffey. This was in response to questions about the financial capability of Riegel Ridge, LLC. Waste Management has provided a financial guarantee to the Division.
- Waste Management of Carolinas, Inc. purchased all of the membership interests of Riegel Ridge, LLC on October 8, 2003.

End Attachment 1

Attachment 2

RESPONSE TO AUGUST 5, 2002 LETTER ON SITE STUDY FROM SHERRI COGHILL TO WILLIAM DREITZLER

Question 1

Information regarding the relationship between Riegel Ridge LLC and Waste Management Inc as requested on February 9, 2002.

Waste Management of the Carolinas, Inc. now holds all membership interests in Riegel Ridge, LLC and the LLC is now a wholly owned subsidiary of Waste Management of Carolinas, Inc. Waste Management, Nancy Scott from the Attorney General's office, and Jim Coffey have had extensive discussions regarding the required financial capabilities assurances for this project, and financial assurances and legal arguments have been provided to the Division and Nancy Scott of the Attorney General's office. Riegel Ridge is awaiting the Division's response on this point.

Question 2

Limits of wetland areas adjacent to proposed borrow pits.

The revised Site Study submitted to the Division on October 10, 2003 includes mapping of the wetland areas around the borrow pits. The wetlands have been delineated, located, mapped and approved by the Corps of Engineers for the entire project site. All wetland mapping is included within the October 10, 2003 submittal.

Question 3

Revised borrow plan incorporating bird management plan and protection/monitoring of adjacent wetlands based on revisions required during wetlands permitting process and by comments from Division of Parks and Recreation.

The Gull Management Plan and the Wetlands Monitoring Plan are included within the October 10, 2003 Site Study submittal. Specifically, the Plans can be found within the Division of Water Quality submittals noted as Attachment D and Attachment E of the October 10, 2003 package. Final borrow plans incorporating the Gull Management Plan and the Wetlands Monitoring Plan will be submitted once a 404 Permit has been obtained from the Corps of Engineers, and final approval given

by the Division of Water Quality, such that we can be confident all aspects of the wetland permitting have been addressed.

Question 4

Revised floodplain delineation based on on-site study.

The October 10, 2003 Site Study submittal includes the delineation based on the Alpha & Omega Group floodplain evaluation. The final landfill design will incorporate our analysis with regards to the limits and depths of standing water (as distinguished from the floodplain) within the site during the 100-year storm event. In addition, see our response to Question 6 for an explanation of the floodplain mapping and regulatory determinations regarding said mapping.

Question 5

Revisions to proposed landfill footprint.

The approximately 107-acre landfill unit boundary remains the same as was submitted to the Division on October 10, 2003. However, this November 2004 submittal includes revisions to the drawings included within Part 6 – Proposed Facility Plan (Volume II). GeoSyntec Consultants, Atlanta, GA, provided both a value engineering review and a detailed review of the hydrological and geotechnical aspects of the Riegel Ridge site. As part of the GeoSyntec review, they have prepared updated facility plans, which include revisions to the leachate collection system, base grading plan, final closure plan and the proposed landfill phasing plan. In addition, the proposed C&D landfill unit boundary has been eliminated from the overall Facility Plan.

Question 6

Copy of local floodplain ordinance and variance if landfill footprint will extend into 100-year floodplain.

The North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, Floodplain Management Branch has determined that the proposed Riegel Ridge Landfill footprint is located outside of the regulated 100-year floodplain area as demonstrated by the preliminary FIRM mapping published by FEMA. The Floodplain Management Branch further states that the North Carolina Floodplain Mapping Program and FEMA have determined that the floodplain information on the preliminary maps in the vicinity of the proposed landfill can be considered final. A copy of a letter from Mr. Philip S. Letsinger to Columbus County confirming the above has been included within Part 4 – Location Restrictions, of the revised Site Study as Exhibit 4.2D. Based on the updated FIRM mapping prepared

by FEMA and the North Carolina Floodplain Management Branch, the aforementioned regulatory agencies and Columbus County have determined that the proposed Riegel Ridge Landfill is in compliance with NCGS 143-215.51 and a variance from the General Statute will not be required.

Part 4 of the Riegel Ridge Landfill Site Study provides the support data for the extensive floodplain evaluations completed for this application. In summary, we provided an evaluation of the existing FIRM mapping to determine its accuracy. Based on a flood study prepared for us by Alpha & Omega Group, we determined that the existing FIRM mapping was not an accurate representation of floodwaters within our site. In the interim, working drawings for updated FIRM mapping within the site area was prepared by FEMA and presented for public comment. The new mapping, as well as the existing mapping both indicate that the proposed Riegel Ridge Landfill Unit Boundary is outside of the 100-year floodplain, and the site was found to be in compliance with NCGS 143-215.51. In addition, and based on the Alpha & Omega Group flood study, it is our intent to design the facility taking into account the possibility that standing water in the range of 1 to 6 inches may occur within the proposed unit boundary during 100-year storm events. Although not regulated 100-year floodplain, it is our position that the potential, even for such minimal amounts of standing water, be incorporated within the facility design. Attachment C – Floodplain Variance Application, of the October 10, 2003 submittal details the site's compliance with .1622(2) Floodplains of the North Carolina Solid Waste Management Rules. Therefore, based on the decision of the North Carolina Floodplain Management Branch, and our documentation regarding compliance with .1622(2) of the North Carolina Solid Waste Management Rules, we are confident the Division will find the application meets the floodplain location restriction.

Question 7

Permits / Certifications for wetlands fill.

The 404 permitting process with the Wilmington Regional Office of the Corps of Engineers is nearing completion. As you are aware, the North Carolina Division of Water Quality provided a 401 Certification for the project on December 16, 2002. Friends of the Green Swamp and the Blue Ridge Environmental Defense League filed a Contested Case against the Division of Water Quality on January 16, 2003. The Case has been heard by The Honorable James L. Conner, II, Administrative Law Judge (ALJ). He has issued a draft order affirming the validity of the 401 certification and it is due for review by the Environmental Management Commission next month. Ms. Angie Pennock has asked for additional information that will support the 404 application. That information has been submitted and is under review by the Corps.

Question 8

Revisions/addenda to submittal made to Corps and 401 Wetlands Unit and any resulting revisions necessary to site study application.

The October 10, 2004 Site Study submittal includes all modifications made to the project through the 401 Certification process. When the 404 process is completed, the Division of Waste Management will be provided with updates reflecting any further modifications to the Facility Plan. The 401 Certification requires final approval by the Division of Water Quality of the following Plans: surface water monitoring plan, wetlands monitoring plan, avian monitoring plan, groundwater monitoring plan, and a stormwater management plan. All of these plans are considered generally complete and were extensively reviewed by the Division of Water Quality prior to issuance of the 401 Certification. A request for final plan approval will be made upon issuance of the 404 permit. In addition, the Division of Water Quality has required that wetland monitoring data collection begin no later than 90 days after issuance of the 404 permit.

Question 9

Plans for relocating species of concern.

Riegel Ridge, LLC has executed a Conservation Easement with the Waccamaw Siouan Tribe, Inc. The Easement includes 155-acres of lands for which approximately 148-acres are regulated wetlands. Within the 155-acre Conservation Easement is a 19.6-acre designated "Species of Concern" area. The executed Conservation Easement has been provided to the Corps of Engineer's for review and approval. The Easement will be provided to the Division of Waste Management upon approval by the Corps of Engineers. If the Division requires a copy of the Easement in advance of final Corps approval, one can be provided upon request.

As is evident from the descriptions above, items 2, 4 and 6 have been completed and submitted to the Division of Waste Management. Items 3, 5, 7, 8 and 9 cannot be finalized until the 404 permitting process is completed. Item 1, financial assurance, is under review by the Division of Waste Management.

End Attachment 2